

AMENDMENT NO. \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 2908\***

**House Bill No. 2712**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all the language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, is amended by adding the following as a new, appropriately designated section:

Section 49-5-\_\_\_\_. (a) Notwithstanding the provisions of any law, policy, or guideline to the contrary, a local board of education or a governing board for a non-public school may permit an employee or a person under contract to the board to assist in self-administration of medications, under the following conditions:

- (1) The student must be competent to self-administer non-prescription or prescription medication with assistance;
- (2) The student's condition, for which the medication is authorized and/or prescribed, must be stable;
- (3) The self-administration of the medication must be properly documented;
- (4) Guidelines, not inconsistent with this section, for the assistance in self-administration of non-prescription and/or prescription medications by personnel in the school setting, developed by the department of health and the department of education and approved by the board of nursing, must be followed; and
- (5) The student's parent or guardian must give permission in writing for school personnel to assist with self-administration of

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medications. Such written permission shall be kept in the student's school records.

(6) Assistance with self-administration shall primarily include storage and timely distribution of medication.

(b) Health care procedures including administration of medications to students during the school day or at related events shall be performed by appropriately licensed health care professionals in accordance with applicable guidelines of their respective regulatory boards and in conformity with policies and rules of local boards of education or governing boards of non-public schools. The student's parent or guardian must give permission in writing for appropriately licensed health care professionals to perform health care procedures and administer medications. Such written permission shall be kept in the student's school records.

(c) Any person assisting in self-administration of medication or performing health care procedures including administration of medications under this section and any local board of education or governing board for a non-public school authorizing the same shall not be liable in any court of law for injury resulting from the reasonable and prudent assistance in the self-administration of such medication or the reasonable performance of the health care procedures including administration of medications, if performed pursuant to the policies and guidelines developed by the department of health and the department of

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education and approved by applicable regulatory and/or governing boards or agencies.

SECTION 2. The department of education and the department of health shall jointly compile an annual report of self-administered medications and health care procedures including administration of medications as provided for in this part, to students served in all public and non-public accredited schools in the state. This report shall be provided to the governor and the general assembly by October 31 of each year and shall include recommendations for meeting the needs for comprehensive school health.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.